

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CONCHITA FOODS, INC.

Petitioner,

V.

FRITOS ENCANTO DE MONTERREY,
S.A. de C.V.

Registrant

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Cancellation No. 32,853

**REGISTRANT'S RESPONSES TO
PETITIONER'S SECOND REQUEST FOR ADMISSIONS**

To: Petitioner, Conchita Foods, Inc., through its attorney of record, Jesus Sanchelima,, 235
S.W. Le Jeune Road Miami, Florida 33134

Registrant, Fritos Encanto de Monterrey, S.A. de C.V., serves these responses to
Petitioner, Conchita Foods, Inc.'s Second Request for Admissions.

1. Registrant has not advertised or promoted the mark CONCHITAS in the United States
using television media.

RESPONSE: DENY

2. Registrant has not advertised or promoted the mark CONCHITAS in the United States
using radio media.

RESPONSE: DENY

3. Registrant has not advertised or promoted the mark CONCHITAS in the United States
using printed media.

RESPONSE: DENY

4. Registrant has not advertised or promoted the mark CONCHITAS in the United States using any media.

RESPONSE: DENY

5. Registrant has not used a nutritional chart required by the regulations of the Food and Drug Administration (FDA) in its labels.

RESPONSE: DENY

6. Registrant did not use a nutritional chart required by the regulations of the Food and Drug Administration (FDA) in its labels when it filed its application for the Registered Work Mark.

RESPONSE: DENY

7. Registrant did not use the Mark in commerce in 1998.

RESPONSE: DENY

8. Registrant did not use the Mark in commerce in 1999.

RESPONSE: DENY

9. Registrant did not use the Mark in commerce in 2001.

RESPONSE: DENY

10. Registrant did not use the Mark in commerce prior to July 1996.

RESPONSE: DENY

Respectfully submitted,

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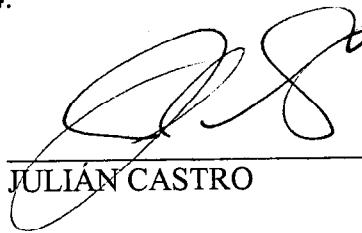
CARLOS I. URESTI
State Bar No. 00785132
JULIÁN CASTRO
State Bar No. 24027799

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument has been forwarded by certified mail, return receipt requested to:

Jesus Sanchelima
Sanchelima & Associates, P.A.
235 S.W. Le Jeune Rd.
Miami, Florida 33134

on this 28th day of June, 2004.


JULIÁN CASTRO

TTAB

GONZALES HOBLIT FERGUSON
A Limited Liability Partnership

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June 28, 2004

Office of the Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202

RETURN RECEIPT REQUESTED
Certified Mail No. 7004 0750 0001 2989 8673

Re: Conchita Foods, Inc. v. Fritos Encanto de Monterrey, S.A. de C.V.
Cancellation No. 92032853
Serial No. 2,105,538 *Serial No: 70201570*



07-02-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #66

Dear Sir/Madam:

Enclosed you will find the original and one copy of the following documents for filing with the papers in the above-referenced matter:

1. Registrant's Responses to Petitioner's Second Request for Admissions.

Please return a file-stamped copy in the enclosed self-addressed stamped envelope. Thank you for your time and assistance in this matter.

Very truly yours,

Julian Castro (sm)
JULIAN CASTRO

JC/sm
Enclosures as stated

cc: Mr. Jesus Sanchelima

Via CM/RRR - No. 7004 0750 0001 2989 8666
& Facsimile No. (305) 445-8484